

GOVERNMENT OF MAHARASHTRA,
Home Department,
Resolution No. FPN-2961/147-POL- 7,
Mantralaya, Bombay -400032,
Dated the 24th March, 1988.

READ :- Letter No. XVIII/7977, dated the 1st January, 1981
of the Inspector General of Police, Maharashtra State,
Bombay.

RESOLUTION :- The question of grant of pensionary awards to the
families of Police Officers and men, who are killed in action in a
scale more liberal than the ordinary Family Pension Rules had been
under the consideration of Government for the past some time. Police
Officers and men have sometimes been required to sacrifice their lives
while dealing with anti-social elements or even in the course of
performing duties for the maintenance of law and order. The professional
hazards faced by the Police Officers and men are also on the increase.

2. The existing Family Pension Rules, which are applicable to all
Government Sergeants, who die while in service, do not take note of the
risk to life faced by Police Officers/Men and the need to compensate
their families adequately in the event of their being killed in action.
Government considers that Police Officers and men should be assured
that, in the event of their being killed in action, their families
will be well looked after by the Government. Only then the Police
Officers/Men would face any situation with the courage and dedication
it demands. With this object in view, Government considers that special
provisions should be made for the families of Police Officers/Men, who
die in encounters or while in action. Government is accordingly pleased
to decide that the families of Police Personnel, who die while perform-
ing their duties, as a result of attack by extremists, anti-social
elements, etc. or during action against dacoits/robbers, smugglers,
hostiles, rioters, etc. will be entitled to Special Family Pension and
Dependant Pension at the following rates :-

A. Special Family Pension -

(a) In the case of a Government Servant whose basic pay Rs. 2040/-
p.m. (as per pre-revised pay scale) or more at the time of death :-

The widow or widower will be entitled to a special family pension
at the following rates :-

- 1) Family pension equivalent to the last pay drawn by the deceased,
for a period of seven years or up to the date on which the
deceased would have retired in the normal course whichever may
be later; and

ii) at the expiry of the period referred to in (i) above, family pension equivalent to the pension which the deceased could have been entitled to on the basis of the pay on the date of death, but counting service upto the date on which the deceased would have retired in the normal course.

iii) The period for which the above special family pension is payable shall be as follows :-

- (aa) in the case of a widow or widower, upto death or remarriage, whichever is earlier;
- (bb) in the case of a son, until he attains the age of twenty-one years; and
- (cc) in the case of an unmarried daughter, until she attains the age of twenty four years or until she gets married, whichever is earlier.

The provisions referred to in (iii) above will be subject to the provisions contained in sub-rules (5) to (12) of Rules 116 of the Maharashtra Civil Services (Pension) Rules, 1982.

(b) In the case of a Government Servant drawing a basic pay of less than Rs 2000/- p.m. (as per pre-revised pay scale), at the time of death :-

i) The widow or widower will be entitled to special family pension till death or re-marriage, whichever is earlier, at the rate equivalent to the pay drawn by the Government Servant at the time of death.

ii) The period for which the above family pension is payable shall be as follows :-

- (a) in the case of a widow or widower, upto death or re-marriage, whichever is earlier;
- (b) in the case of a son, until he attains the age of twenty-one years; and
- (c) in the case of an unmarried daughter, until she attains the age of twenty - four years or until she gets married, whichever is earlier.

The provisions referred to (iii) above will be subject to the provisions contained in sub-rules (5) to (12) of Rule 116 of the Maharashtra Civil Services (Pension) Rules, 1982.

B. Dependent Pension :-

Where the Government Servant dies as a bachelor or as a widower without children, pension will be admissible to the parents without reference to their pecuniary circumstances. The rate of pension will be as follows :-

(a) In the case of a Govt. servant, whose basic pay at the time of death is Rs. 20,000 p.m. (as per pre-revised pay scale) or more, at 2/3rd of the rate of family pension admissible to the widow as indicated in para (A)(a)(i) above for both parents and at 2/3rd of this rate for a single parent. On the death of one parent, the dependent pension at the latter rate will be admissible to the surviving parent.

(b) In other cases, at 3/4th of the pay last drawn by the Government Servant for both parents, and at 3/4th of this rate for a single parent. On the death of one parent, dependent pension at the latter rate will be admissible to the surviving parent.

4. For the purpose of these orders, the term 'Pay' would include, -

- i) Basic Pay
- ii) Dearness Pay
- iii) Interim Relief;
- iv) 20 p.a. ad-hoc increase, and
- v) any other allowance that may be classed as pay and allowed to be counted for pension accordance to the orders in force for the time being.

5. These orders should be given effect from the 15th October, 1986, and will govern any cases that have arisen or will arise on or after that date.

6. This Resolution issues with the concurrence of the Finance Dept., vide its. Un-official-reference

NO. CR-268/88-GER-4 dated the 22nd March 1988.

By order and in the name of the Governor of Maharashtra,

Sd/- D.C. Verma,
Joint Secretary to the Govt. of Maharashtra,
Home Department.